

RESOLUTION NUMBER 23-26

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A CODE ENFORCEMENT BOARD ACTION TO AUTHORIZE THE CITY ATTORNEY TO FORECLOSE ON AN OUTSTANDING CODE ENFORCEMENT LIEN RECORDED AGAINST 44 SHARPS CIRCLE LLC.

WHEREAS, the City of Eustis, Florida established code enforcement fines against the following described property, and upon any other real or personal property under Case No. 22-00532 against 44 Sharps Circle LLC, property owners, for failing to comply with City Ordinances:

EUSTIS, BADGER DIVISION BLK 61, E 33 FT OF BLK 62 (SEE EXHIBIT A FOR FULL LEGAL DESCRIPTION); and

WHEREAS, the City of Eustis, Florida, a Florida municipal Corporation, recorded a Code Enforcement Lien against the subject property and an additional property described as follows in accordance with Florida Statutes Section 162.09(3) on the 4th day of November, 2022, in Official Record Book 6049, Pages 688-690, in the office of the Clerk of the Circuit Court, Lake County, State of Florida; and

EUSTIS, BADGER DIVISION BLK 68, W 1/2 OF CLOSED TITCOMB ST LYING E OF BLK 68, E 1/2 OF CLOSED SMITH STREET LYING W OF BLK 68, N 1/2 OF CLOSED PINEAPPLE AVE W BY CENTERLINE OF SMITH STREET & E BY CENTERLINE OF TITCOMB STREET PB 5 PG 39 ORB 5238 PG 1256; and

WHEREAS, Section 162.09 of Florida Statutes, adopted by reference into the City Code of Ordinances, states that the Code Enforcement Board may authorize the City Attorney to foreclose on the lien three months after filing; and

WHEREAS, it has been more than three months since the filing of such lien; and

WHEREAS, the Code Enforcement Board approved a motion on February 13, 2023 authorizing the City Attorney to foreclose on the lien; and

WHEREAS, the property in question is not known to have homestead protection status under Florida Constitution, Article X, Section 4;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eustis, Florida, that the City Attorney is hereby authorized to foreclose on the unpaid Code Enforcement Lien recorded against the following described properties, in accordance with the Code Enforcement Board's action:

EUSTIS, BADGER DIVISION BLK 61, E 33 FT OF BLK 62 (SEE EXHIBIT A FOR FULL LEGAL DESCRIPTION); and

EUSTIS, BADGER DIVISION BLK 68, W 1/2 OF CLOSED TITCOMB ST LYING E OF BLK 68, E 1/2 OF CLOSED SMITH STREET LYING W OF BLK 68, N 1/2 OF CLOSED PINEAPPLE AVE W BY CENTERLINE OF SMITH STREET & E BY CENTERLINE OF TITCOMB STREET PB 5 PG 39 ORB 5238 PG 1256

DONE AND RESOLVED this 16th day of March, 2023, in regular session of the City Commission of the City of Eustis, Florida.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial No:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content, but I have not performed an independent Title examination as to the accuracy of the Legal Description.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 23-26 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

EXHIBIT A

EUSTIS, BADGER DIVISION BLK 61, E 33 FT OF BLK 62, THAT PART OF VACATED SMITH STREET LYING BETWEEN N'LY R/W LINE OF LAKESHORE DR & LAKE EUSTIS & BOUNDED BY BLKS 61 & 62, THAT PART OF TITCOMB STREET LYING BETWEEN N'LY R/W LINE OF LAKESHORE DR & LAKE EUSTIS & BOUNDED BY BLK 61 BADGER DIVISION & BLK 58 IN TOWN OF EUSTIS PB 1 PG 79, THAT PART OF MORIN STREET LYING BETWEEN N'LY R/W LINE OF LAKESHORE DR & WEST ORANGE AVE & BOUNDED BY BLKS 58 & 59 PLAT EUSTIS PB 1 PG 79, ALLEY RUNNING NORTH & SOUTH BLK 58 & BLK 58, BLK 59 LYING W OF RR R/W IN TOWN OF EUSTIS--LESS FROM INTERSECTION OF CENTERLINE OF CITRUS AVE & BAY STREET RUN W ALONG SAID CENTERLINE OF CITRUS AVE & BAY STREET RUN W ALONG SAID CENTERLINE OF CTRUS AVE 648.18 FT, N 0-09-30 W 33 FT FOR POB, CONT N 0-09-30 W 123.71 FT, N 89-33-0 E 250.29 FT, N 28-04-0 E 82.98 FT, N 89-46-0 E 131.20 FT, S'LY & SW'LY ALONG W R/W LINE OF RR R/W TO N LINE OF CITRUS AVE, W ALONG N'LY R/W LINE TO POB & LESS LOTS 15 & 16 BLK 59 & LESS E 33 FT OF N 66 FT OF STREET ON WEST--BEG AT INTERSECTION OF CENTER OF ORANGE AVE & PREVIOUSLY CLOSED MORIN STREETS, RUN W 51 FT, S TO N LINE OF BLK 58 EUSTIS SUB, E TO A POINT S OF POB, N TO POB, AND EUSTIS PB 1 PG 79 FROM THE INTERSECTION OF THE CENTERLINE OF CITRUS AVE & BAY STREET RUN WEST ALONG SAID CENTERLINE OF CITRUS AVE 648.18 FEET, NORTH 00-09-30 WEST 33 FEET FOR THE POINT OF BEGINNING, RUN NORTH 00-09-30 WEST 123.71 FEET, NORTH 89-33-00 EAST 250.29 FEET, NORTH 28-04-00 EAST 82.98 FEET, NORTH 89-46-0 EAST 131.2 FEET, SOUTHERLY & SOUTHWESTERLY ALONG THE WEST RIGHT OF WAY LINE OF RAILROAD TO THE NORTH LINE OF CITRUS AVE, WEST ALONG THE NORTHERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING, BEING A PART OF BLKS 58 & 59 AND PART OF VACATED ST & ALLEY ORB 5238 PG 1256